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Chairman: Mr. Rosenthal ..... (Guatemala)
Chairman of the Advisory Committee on Administrative and Budgetary Questions: Mr. Mselle

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The meeting was called to order at 10.15 a.m.

Agenda item 134: Financing of the United Nations Transitional Administration in East Timor (*continued*) (A/C.5/55/L.9)

1. **Mr. Park** Hae-yun (Republic of Korea), introducing draft resolution A/C.5/55/L.9, expressed the hope that it would be adopted by consensus.

2. *Draft resolution A/C.5/55/L.9 was adopted.*

3. **Ms. Sanchez** (Cuba) said that, in the light of Cuba's strong support for the activities of the United Nations Transitional Administration in East Timor (UNTAET), her delegation had joined the consensus on the draft resolution, although it regretted that there had not been sufficient time, when the item had been considered, to address appropriately the following concerns raised by Member States and by the Advisory Committee on Administrative and Budgetary Questions (ACABQ): the inclusion in the proposed budget of UNTAET of proposals likely to increase the cost of the force; the considerable increase in the proposed staffing of the Office of Human Rights Affairs, the duplication of effort in the functions of some of the posts proposed and the assignment of judicial functions to some of the Office's staff; the use of a budget proposal to introduce a mandate for the establishment of a national truth and reconciliation commission; and the lack of clarity in the relationship between the UNTAET assessed budget and the East Timor consolidated budget. Much of the information requested had been made available only as the text of the draft resolution was being approved. It was to be hoped that, in future, the necessary time would be allowed for the General Assembly to perform fully its proper role in the consideration of budgetary proposals.

Agenda item 133: Financing of the United Nations Interim Administration Mission in Kosovo (*continued*) (A/C.5/55/L.10)

4. **Mr. Ramos** (Portugal), introducing draft resolution A/C.5/55/L.10, said that, since the text had been adopted by consensus in the informal consultations, he hoped that the Committee would adopt it without a vote.

5. *Draft resolution A/C.5/55/L.10 was adopted.*

Agenda item 117: Programme budget for the biennium 2000-2001 (*continued*)

Report of the Panel on United Nations Peace Operations (*continued*) (A/55/305-S/2000/809, A/55/502 and A/55/507 and Add.1)

6. **Mr. Sampson** (Nigeria), speaking on behalf of the Group of 77 and China, said that no statement had been made on behalf of the Group at the Committee's preceding meeting because the programme of work issued by the Bureau had not indicated that the Secretary-General would introduce his reports on the Panel's report or that a general discussion would follow his address to the Committee.

7. The Group of 77 and China attached great importance to the provision of adequate resources for all peacekeeping activities, which were an important function of the United Nations. However, the Special Committee on Peacekeeping Operations was the legislative body responsible for peacekeeping issues. The Fifth Committee should therefore not begin to consider the resource requirements for the implementation of the recommendations in the report of the Panel on United Nations Peace Operations (A/55/305-S/2000/809) until the Special Committee had completed its consideration of those recommendations and the Special Political and Decolonization (Fourth) Committee had taken its decisions thereon, based on the recommendations of the Special Committee, and until the Advisory Committee had submitted its recommendations.

8. **Mr. Darwish** (Egypt) reaffirmed the importance that his country, which contributed troops and equipment to various United Nations peacekeeping operations, attached to all peacekeeping efforts. The Panel on United Nations Peace Operations had made a valuable effort to evaluate the shortcomings of peacekeeping operations and to present specific proposals to improve the military, human, financial and managerial capacities of the United Nations. Because the strengthening of the Department of Peacekeeping Operations would not in itself remedy all those shortcomings, an integrated and balanced approach was needed to address all problem areas, from the manner in which the Secretariat prepared and presented its recommendations to the Security Council to the way the Security Council formulated and modified the mandates of peacekeeping operations and to the means of improving the Secretariat's management of such

operations and the political, military and strategic advice it gave to them.

9. There were many commendable proposals in the plan put forward by the Secretary-General in his report (A/55/507), but the ones aimed at strengthening the Department of Peacekeeping Operations and other Secretariat departments would only yield the desired results if three basic conditions were met. First, the commitments of Member States, in particular those of the Western countries and the major Powers, must be translated into a genuine political will and concrete military participation in the field, without discrimination between operations. Second, consultation between the Security Council and the troop-contributing countries must be institutionalized and codified, as stipulated in the Charter of the United Nations. Third, the financial resources required for the full success of peacekeeping operations must be ensured; the chronic deficit faced by the Organization had left it in a situation where it had been obliged to reduce the number of troops deployed so that missions could not be accomplished in the manner desired.

10. While it welcomed the voluntary contributions made for development assistance by many countries, including the United States of America, Japan, the European Union and Norway, his delegation noted that the United Nations had for a number of years been adopting a negative or zero-growth budget for development. It was important to allay the legitimate fears of the developing countries that, if that situation persisted, resources required for peacekeeping operations would be withheld from development activities.

11. The Special Committee on Peacekeeping Operations was currently studying the recommendations of the Panel, and the consideration of resource requirements by the Fifth Committee should be deferred until the Special Committee had completed its recommendations and the Secretary-General and the Advisory Committee had issued their reports on the financial implications thereof. The necessary legislative mandate for the proposals would then be in place before the financial and human resources were made available. Those resources represented the preliminary and urgent stage of the plan for the implementation of the Panel's recommendations and it was expected that, before subsequent stages were embarked upon, the Secretariat would have prepared a comprehensive review of the structure and functions of the Department of Peacekeeping Operations, as requested in previous years by the Special Committee.

12. **Mr. Pal** (India) said that he shared the views expressed by the representative of Nigeria on behalf of the Group of 77 and China. At the Committee's preceding meeting, it had been said that, if the Secretary-General's request for emergency resources was not granted, peacekeeping operations and personnel would suffer, and that delegations which questioned the need for such resources had no interest in peacekeeping, particularly in Africa. However, India had been among the top troop contributors for the past 40 years, and had participated in every peacekeeping operation in Africa. In addition, it had made a voluntary contribution of $100,000 to the Joint Military Commission in the Democratic Republic of the Congo. It had therefore earned the right to question whether the proposals being made addressed the real needs of peacekeeping.

13. On the basis of India's first-hand experience of the many crises which had arisen in peacekeeping operations, he could affirm that nothing the Secretariat could have done would have prevented or resolved those crises. It was therefore puzzled by the claim that peacekeeping and peacekeepers would suffer unless the Department of Peacekeeping Operations was given more staff immediately. The real problems in peacekeeping were the frequent lack of political will in the Security Council and the reluctance of the developed countries to contribute troops. There were other problems, too; only the preceding day, in the Security Council, the Special Representative of the Secretary-General for East Timor had described as "absurd" the fact that UNTAET spent $10 on itself for every $1 it spent administering East Timor. Such phenomena were not sudden emergencies, but long-standing problems that would not be cured by the Panel's recommendations.

14. In the early 1990s, the Department of Peacekeeping Operations had managed much larger bodies of troops with roughly the same number of staff as it had at the current time, yet it had not claimed to suffer from a staffing emergency. Moreover, that Department and the Department of Political Affairs had been untouched by the post reductions of the past eight years. The latter Department had more Professional-level staff than India's entire Ministry of External Affairs. The post reductions in the Secretariat had affected mainly the departments dealing with economic

and social issues, whose situation was at least as serious as that of the Department of Peacekeeping Operations. No additional resources had been sought for any of the departments that followed up the major United Nations conferences of the 1990s. In the light of those facts, the assertion that any failure to implement the Panel's recommendations would cause the United Nations to fail made no sense.

15. The Panel's report indicated that the Executive Committee on Peace and Security (ECPS) established under the Secretary-General's reform programme had failed to meet the urgent need to gather and analyse information for peacekeeping, yet the General Assembly had never before received information to that effect, despite its request for a report on the implementation of the reforms. The expensive new unit being proposed to serve that purpose would continue to tell the Security Council only what it wanted to hear and would not make the slightest difference to peacekeeping operations or peacekeepers.

16. The Committee could not make an informed assessment of the staffing needs of the Department of Peacekeeping Operations until the review of the Department's functioning, which the Special Committee on Peacekeeping Operations had requested for years, was made available. The report which the Under-Secretary-General for Peacekeeping Operations had undertaken to submit early in 2001, together with the Secretary-General's resource requests under the support account, should provide the basis for decisions on the Department's structure and size. His delegation was prepared to consider any stop-gap arrangements that might be needed, once the Special Committee on Peacekeeping Operations and the Advisory Committee had scrutinized them. However, such additional resources must be kept to a minimum and the urgency of providing them must be justified; a request for 249 additional posts, which represented nearly 60 per cent of the Department's authorized strength, could hardly be termed an emergency request.

17. The sudden call for emergency resources was extraordinary for four reasons: first, the General Assembly had never before been told that the reformed structures were inadequate, despite its request for that type of information; second, at the time when the current biennial budget and the support account had been adopted, no emergency had been claimed, even though a number of peacekeeping operations had then been at the initial stage that made the greatest demands on the Secretariat; third, the Special Committee on Peacekeeping Operations had never been informed, at its 2000 session, of any systemic crisis in the Secretariat that could only be cured by emergency resources; and fourth, no Secretariat official had told the Committee for Programme and Coordination, at its June 2000 session, that either the Department of Peacekeeping Operations or the Department of Political Affairs was in distress.

18. The nature of the so-called emergency was therefore unclear. His delegation's questions only reflected its desire to strengthen the United Nations. The Committee's discussions on the subject should respect the views of all delegations; differences of opinion could not be bridged by patronizing and deprecatory references to the sincerity or motivation of delegations holding different views.

19. **Mr. Hussein** (Ethiopia) said that his country attached the greatest importance to the implementation of the Panel's recommendations, which represented a practical means of making the United Nations more effective in maintaining peace and security, pursuant to paragraph 9 of the Millennium Declaration. In the light of the recent rapid increase in the number and scope of peacekeeping activities, the current institutional framework, resources and staffing level appeared inadequate. The close links between conflict prevention and post-conflict reconstruction could not be over-emphasized. The Panel's recommendations on institutional strengthening, staffing and funding were timely and the Secretary-General's request for their implementation should be granted.

20. At the same time, equal attention should be paid to the provision of resources for development. It was ironic that the approval of more resources for peacekeeping was being urgently requested, while the approval of even modest increases in the budget for the Organization's development activities was very difficult to obtain. However, he agreed that peacekeeping and development were mutually complementary and urgent remedial action was needed to address the many problems currently encountered in peacekeeping activities.

21. **Mr. Chaudry** (Pakistan) said that his country had consistently contributed to peacekeeping operations and attached great importance to the Organization's role in that area. However, he agreed with the representative of Nigeria that the Committee should

discuss the Secretary-General's proposals only when all the relevant documentation had become available, particularly the report of the Special Political and Decolonization (Fourth) Committee and the recommendations of the Advisory Committee. He was disappointed to note the terms used by one delegation, at the Committee's preceding meeting, to describe delegations that did not share its views. Since such language would not facilitate the discussions to be held on the issue, he recommended greater restraint.

22. **Mr. Valdivieso** (Colombia), speaking on behalf of the Rio Group, said that the Group recognized the need to strengthen the structure and functioning of peacekeeping-related mechanisms in order to increase their efficiency and thereby enhance the Organization's credibility in the maintenance of international peace and security. Conflict prevention and peace-building were important facets of the Organization's work.

23. The Rio Group countries were closely following the progress of negotiations in the Special Committee on Peacekeeping Operations and the Special Political and Decolonization (Fourth) Committee, and looked forward to the relevant report of the Advisory Committee, which would facilitate the Fifth Committee's deliberations on the budgetary implications of the decisions taken by the competent legislative bodies. The aim was to provide the United Nations with a more dynamic and efficient structure for designing and deploying peacekeeping operations.

24. **Mr. Bhattarai** (Nepal) said that he supported the statement made by the representative of Nigeria on behalf of the Group of 77 and China. The Panel's report would enhance the Committee's understanding of the successes and failures of United Nations peacekeeping activities in recent years. The complementarity between that report and the Secretary-General's report to the Millennium Assembly (A/54/2000) should serve as a guide to the implementation of the Panel's recommendations. Nepal, as a committed contributor to United Nations peacekeeping efforts, looked forward to the implementation of many significant elements of the report, which would greatly improve the launching, management and closure of peace operations. At the same time, the process of change must be managed cautiously to ensure that it did not result in irreversible errors.

25. Although the United Nations should be properly equipped to keep peace in the world, peace could not be sustained in the absence of development. The Organization's priorities and approaches to peace and development must be reconciled. Some Member States were in favour of expanded peace operations and strengthened command and control structures at Headquarters, while others felt that more resources should be directed towards economic and social development, which would ultimately bring about peace and stability. Those differences could be reconciled through a clearer definition of priorities and a common resolve to strengthen activities for both peace and development.

26. The Panel's report raised a number of fundamental questions. If developed countries continued to avoid sending their troops to United Nations peacekeeping operations, a serious imbalance would emerge between peacekeeping personnel, most of whom came from poor countries, and the Headquarters command and control structures, which were run by personnel from rich countries. That imbalance should also be examined in the context of humanitarian intervention. The Committee must consider whether such an imbalance would result in a situation where Headquarters structures exercised unnecessary influence on troops in the field and distorted their mandates; whether it would marginalize the contribution of field commanders to decision-making in the Security Council; and whether the full implementation of the Panel's recommendations would result in military structures that were unsuitable for United Nations operations. Those questions must also be considered in connection with the mandate of the International Criminal Court, particularly if the Court had to seek the Security Council's approval to prosecute persons who came under the Court's jurisdiction.

27. The Committee must have a clear and comprehensive understanding of the potential implications of the Panel's recommendations before it took action. Member States must not create a United Nations that would compromise their collective interests or come into conflict with the international environment. Nepal looked forward to receiving the reports of the Advisory Committee and of the Special Committee on Peacekeeping Operations, which was the legislative body responsible for considering peacekeeping in all its aspects.

Request for a subvention to the United Nations Institute for Disarmament Research (A/C.5/55/15)

Administrative and financial implications of the decisions and recommendations contained in the report of the International Civil Service Commission for the Year 2000 (A/55/629)

Revised estimates under section 7 (International Court of Justice) (A/55/7/Add.2 and A/C.5/55/21)

28. **Mr. Mselle** (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that the Advisory Committee had been unable to finalize its reports on the request for a subvention to the United Nations Institute for Disarmament Research (UNIDIR) and on the administrative and financial implications of the decisions and recommendations contained in the report of the International Civil Service Commission (ICSC) for the year 2000 in time for their translation and subsequent issuance in all six official languages. However, the text of his statement would be circulated informally to the members of the Fifth Committee. The report of the Advisory Committee on the revised estimates under section 7 (International Court of Justice) was contained in document A/55/7/Add.2.

29. The Advisory Committee had considered the note by the Secretary-General (A/C.5/55/15) on a request for a subvention to UNIDIR of $213,000 for the year 2001. The request was made in accordance with the recommendation of the Board of Trustees of the Institute. The programme budget of the United Nations for the biennium 2000-2001, under section 4 (Disarmament), contained a provision of $426,000, representing the United Nations subvention to the Institute for 2000-2001. The subvention, which was used to cover the costs of the director and the administration, was important not only economically, but also, in the Board's view, to ensure the independence of the Institute. As stated in the report of the Director of the Institute (A/55/267), the Board regretted that, for several years, the subvention received from the United Nations had not been adjusted for inflation. The Advisory Committee intended to consider the matter in the context of the proposed programme budget for the biennium 2002-2003. At its fifty-fourth session, the General Assembly had authorized a subvention of $213,000 for 2001; at its current session, it was being asked to approve an amount of $213,000 for 2001. The Advisory Committee recommended that the Fifth Committee should approve that request.

30. The Advisory Committee had considered the statement submitted by the Secretary-General (A/55/629) on the administrative and financial implications of the decisions and recommendations contained in the report of ICSC for the year 2000 and, in particular, the implications of those decisions and recommendations for the programme budget of the United Nations for the biennium 2000-2001. It had considered only those recommendations referred to in the Secretary-General's statement.

31. The annual financial implications of the recommendations of the International Civil Service Commission on the common system amounted to $15.8 million, of which $5.9 million (net of staff assessment) was estimated to relate to the United Nations regular budget. The Advisory Committee noted from paragraph 3 of the Secretary-General's statement that the increase of 5.1 per cent in the base/floor scale for 2001 would be implemented through the standard method of consolidating post adjustment multiplier points to offset the increase in the base salary scale. The incorporation of post adjustment index points into the base salary was a no-loss/no-gain measure. However, the Advisory Committee wished to point out that, when the post adjustment was next increased, the value of the post adjustment index point would be greater since it was based on a percentage of the base salary.

32. The Commission had conducted surveys of the best prevailing conditions of employment for staff in the General Service, Trades and Crafts, Security Service, Language Teacher and Public Information Assistant categories in New York in May 2000. The results of the survey had become effective as from 1 May 2000. The annual financial implications for the regular budget resulting from the Commission's recommendations on the remuneration of staff in the General Service, Security Service and Public Information Assistant categories and in the Professional and higher categories were estimated at $3.5 million and $2.1 million respectively. In addition, for all categories of staff, adjustments to the education grant would result in an additional requirement of approximately $282,400. The overall impact of the recommendations calculated on the basis of actual dates of implementation would amount to $5,736,846. That additional requirement would be taken into

consideration in computing the first performance report for the biennium 2000-2001, in accordance with the established procedure. The Advisory Committee had no objection to the estimates of requirements under the regular budget resulting from the Commission's decisions and recommendations.

33. Turning to the report of the Advisory Committee on the revised estimates under section 7 (International Court of Justice) (A/55/7/Add.2), he said that, owing to the large increase in the Court's caseload, the Secretary-General had requested an additional appropriation of $606,100 under section 7 of the programme budget for the biennium 2000-2001 in order to allow the Court to discharge its functions. To address the needs of the Court, the Secretary-General had proposed the establishment of 12 temporary posts for translators and 2 General Service posts at a cost of $488,700. The Advisory Committee had been informed that establishing those temporary posts would be less expensive than hiring freelance and external translators. It therefore recommended that the General Assembly should approve the additional appropriation requested.

34. **Mr. Repasch** (United States of America) said that his delegation supported the important work of UNIDIR. However, as the Secretary-General himself had stated, the provision of subventions from the regular budget of the United Nations was not appropriate and the practice should not become established. His delegation would approve the request for the subvention only if the Institute submitted a plan indicating how it intended to achieve self-sustainment.

35. Regarding the request for an additional appropriation for the International Court of Justice, he noted that the Court had been slow to implement modern management techniques. He understood that the Joint Inspection Unit (JIU) was preparing a report on the issue and he would like to know what the status of that report was. The Committee should be provided with a summary of the report before it took action on the request.

36. **Ms. Sanchez** (Cuba) said that it was not clear to her delegation why the Advisory Committee had been unable to complete its reports on the request for a subvention to UNIDIR and on the administrative and financial implications of the decisions and recommendations contained in the report of ICSC for the year 2000. The Committee should defer consideration of those matters until the reports of the Advisory Committee were available.

37. **Mr. Mselle** (Chairman of the Advisory Committee on Administrative and Budgetary Questions) said that it would not be unreasonable to request the Board of Trustees of UNIDIR to indicate whether the Institute could survive without a subvention from the regular budget of the United Nations. However, the subvention was a relatively small amount that promoted the independence of the Institute.

38. Regarding the additional appropriation requested for the International Court of Justice, he said that the Court had taken a number of steps to modernize its operations, but the needs of the Conference and Language Services could not be addressed by implementing new management techniques or through automation. The Secretariat might wish to convey the question on the status of the JIU report on the Court to the Unit itself.

39. In response to the issue raised by the representative of Cuba, he pointed out that the oral reports he had made to the Committee, together with the texts of other oral reports made during the session, would be consolidated in a single report, which would be issued as an official document of the General Assembly.

40. **Ms. Sanchez** (Cuba) said that the Committee should adhere to its usual practice and should not proceed until the reports of ACABQ were available.

41. **Ms. Rodsmoen** (Norway) said that her delegation strongly supported the work of UNIDIR, to which Norway was one of the main contributors. The Institute's financial situation was a cause for concern. She therefore urged the Committee to approve without further delay the subvention requested, which was a small amount compared with the Institute's total budget.

42. **Mr. Acakpo-Satchivi** (Secretary of the Committee), replying to a question put by the Chairman, said that, in the absence of a written report by the Advisory Committee on a particular issue, the Chairman of that Committee had, in the past, made oral reports to the Fifth Committee. The presentation of oral reports did not therefore represent a departure from the Committee's usual practice.

43. **Mr. Gaubert** (France), speaking on behalf of the European Union, said that the Committee should proceed with its work at once.

44. **Ms. Sanchez** (Cuba) said that her delegation could not proceed without having all the necessary information at its disposal. She requested that, in future, the reports of the Advisory Committee should be issued in writing in time for delegations to give them proper consideration.

45. **Mr. Nakkari** (Syrian Arab Republic) said that the practice of allowing the Chairman of the Advisory Committee to make oral reports to the Fifth Committee was exceptional. As a rule, the Fifth Committee should not take up any issue unless all the relevant documents were available in all six official languages. The importance of that point could not be overstated. He understood that the Advisory Committee had a heavy workload. Often, it was unable to finalize its own reports because of delays in the transmission to it of the reports of the Secretariat that it was to consider. The Bureau should look into that problem. In the meantime, the Committee should defer its consideration of the matter before it until the relevant reports of the Advisory Committee were available in all six official languages.

46. **The Chairman** said that he had taken note of the concerns expressed by the representatives of Cuba and the Syrian Arab Republic. There was, however, a need for pragmatism and flexibility. The Committee's past practice led him to conclude that, in exceptional circumstances, it could consider an oral report by the Chairman of the Advisory Committee. No action would be taken, however, until the informal consultations were concluded and the documentation in question was available.

Agenda item 12: Report of the Economic and Social Council (A/55/3, chap. I, chap. VII (sections B and C) and chap. IX)

47. **The Chairman** suggested that the Committee should recommend that the General Assembly should take note of the chapters of the report of the Economic and Social Council which had been allocated to the Fifth Committee.

48. *It was so decided.*

The meeting rose at 11.40 a.m.